

Meeting of 1998-8-11 Regular Meeting

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
AUGUST 11, 1998 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Cecil E. Powell, Mayor, Also Present:
Presiding Gil Schumpert, City Manager
John Vincent, City Attorney
Brenda Smith, City Clerk

The meeting was called to order at 6:00 p.m. by Mayor Cecil E. Powell. Invocation was given by Rev. Richard Mayer, St. Johns Lutheran Church, followed by the Pledge of Allegiance. Notice of meeting and agenda were posted on the City Hall notice board as required by State law.

ROLL CALL

PRESENT: G. Wayne Smith, Ward One
Richard Williams, Ward Two
Jeff Sadler, Ward Three
John Purcell, Ward Four
Robert Shanklin, Ward Five
Charles Beller, Ward Six
Stanley Haywood, Ward Seven
Randy Warren, Ward Eight

ABSENT: None

PRESENTATION OF CITIZEN OF THE MONTH AWARD TO MIKE BROWN

Donna Richey, Mayors Commission on the Status of Women, introduced Mike Brown as Citizen of the Month for August. Brown was a founding member of Junior Leadership Lawton, and a graduate of Leadership Lawton, a member of the Lawton Chamber of Commerce and Industry and has served two terms on the Lawton City Council, and two terms as Mayor Pro Tem. Brown formed the Fields & Dunning Neighborhood Association and serves on the Lawton Parkway Task Force which is attempting to have a bike path completed in Elmer Thomas Park. He is a member and past president of the Great Plains AMBUCS and member of Cannon Cockers, and has provided assistance to Marie Detty Head Start, St. Marys Church, New Directions Womens Shelter, and the Greiner School for the Handicapped with building projects and funding strategies.

Mayor Powell presented a certificate of honor from Congressman J.C. Watts, a citation from the State of Oklahoma signed by Representative Kirby and Speaker of the House Lloyd Benson, and a proclamation from the City of Lawton. He commended Browns efforts in volunteering and assisting in community projects. Brown said he could have accomplished nothing alone and that people had always been willing to help out when asked. He said that is what made Lawton a great community and that he was pleased to have been selected as Citizen of the Month.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF JULY 28 AND SPECIAL MEETING OF AUGUST 3, 1998.

MOVED by Smith, SECOND by Sadler, to approve Minutes of July 28 Regular Council Meeting. AYE: Williams, Sadler, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. ABSTAIN: Purcell. MOTION CARRIED.

MOVED by Smith, SECOND by Sadler, to approve Minutes of August 3 Special Council Meeting. AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

AUDIENCE PARTICIPATION:

Raymond McAlister expressed appreciation for the Citys help with Lawtons birthday activities.

Ken Isaac, 310 NW Compass, distributed information regarding the Citys computer specifications recently advertised as a RFP by CL99-011. He said the first page is an excerpt of the Citys specifications and the second page is a copy of the RFP put out by the U.S. Government for computers. Isaac said the way the City has proposed the bids excludes all local

computer shops from participating in bidding. He said the specifications show Compaq, Dell, Gateway, Hewlett Packard or IBM systems, and there is only one locally owned shop that could bid on this, but for reasons he would not discuss, they are not allowed to bid. Isaac said approximately 20 companies had submitted proposals, himself included, but he could not bid on the computer portion; the bid was broken into a request for prices on parts for computers and then the 35 computer systems. Three local vendors submitted proposals and none were able to bid on the computer systems themselves and all of them had to bid the parts.

Isaac said on 35 systems, approximately \$7,000 profit is leaving this City because it cannot be done locally. He said the other sheet is provided as a comparison, and it was for 35 systems for an air force base, and it includes specifications for each part but it does not specify a brand name. Isaac said the local computer shops can do as good a job as Dell, Gateway, IBM or Hewlett Packard, and that Dell and Gateway started in a persons garage and were built into huge national companies. He asked that Council address the way the specifications are being written and make them more open and broad to allow local companies to compete. Isaac said he was not saying he should be awarded the contract because he was local but was asking that he be given a chance to compete fairly.

Mayor Powell thanked Isaac for bringing the information and agreed it is best when money can be kept in Lawton if at all possible. He said Council and the Specifications Committee would look at the information provided and hopefully allow it to be opened up to allow competition from local vendors.

Henry Cenance, 4712 MacArthur Circle, said he has a rent house at 1209 4th Street and it has been under the same real estate agent for ten years. He said he kept calling staff in the ordinance office and police department asking why they keep calling him and sending him letters when he has an agent representing him. Cenance said he keeps receiving letters telling him to report to court and it seems the City may have a bad ordinance that should be changed because citizens are being harassed. He said he does not get in trouble and does not cause trouble for others, and that the police are supposed to put stickers on cars on lots if they are not registered.

Mayor Powell said he would give the information Mr. Cenance provided in written form to the City Manager and ask that he provide copies to Council Members for their review. He asked if Council desired to receive copies and response was yes. Mayor Powell said they would review the information and thanked Mr. Cenance for coming forward.

Shanklin said something more needed to be done in regard to both of the gentlemen who spoke. Mayor Powell said he had asked that copies be distributed and that the matters would not just die, and should be addressed. Williams suggested the review board could look into the items.

Alan Williams, cab driver, said he represented 32 cab drivers and the last time drivers and private owners were invited to City Council was when they were selecting colors and year models for the cabs. He said they were told in the newspaper that they were free to come to the Council meeting, and since that time, they had attempted to develop an association between drivers where they could get together to discuss their problems. Only five remain from the original 32 drivers who attempted to come to meetings, under threat of being fired for showing up at their meetings. He said they had petitioned the Mayor and saw that Council decided to create a committee of three persons to listen to grievances of local residents, and that he had asked to be the first on the list. Williams said he was wondering when that might come about. Mayor Powell said he received a letter of interest and Beller chairs a committee, so he had asked Beller to look into that and their group would have representation. Mayor Powell said he was not speaking for Beller and wanted their group to have representation. Williams said his address is 406 N 3rd and phone is 355-7777 and asked that he be notified as soon as possible so he could talk with others in their group.

BUSINESS ITEMS:

Mayor Powell announced that Item 7 had been pulled from the agenda at staffs request.

1. Hold a public hearing and consider an ordinance amending the 2020 Land Use Plan from Residential-Multi Family to Commercial and Office and changing the zoning from R-4 (High Density Apartment District) to C-1 (Local Commercial District) zoning classification located at approximately 2801 NW 38th Street. Exhibits: Ordinance No. 98-32; Location Map; Map illustrating LMAPC recommendation; Site Plan; Applications; Analysis of Request; LMAPC Minutes; Letter Opposing Request.

Bob Bigham, City Planner, pointed out the location of the property on a view graph map. LMAPC held a public hearing June 10 and tabled the item until July 8 at which time it recommended approval of a portion of the requested area, which he pointed out, to C-1 and leaving the balance as R-4. Proposed use of the site is a car wash facility. One person spoke in favor of the request and one letter of protest was received. Legal notice of this hearing was properly served. LMAPC and staff concur in recommending approval of the amendment to the Land Use Plan as well as rezoning of a portion of the requested area.

Beller asked if discussion had been held with the applicant regarding the partial approval. Bigham said the applicant concurs with the recommendation. Purcell asked if the triangular shaped parcel is recommended to be rezoned C-1 and leave the rectangular parcel to the east as R-4 and Bigham said yes. Williams asked why a small sliver would be recommended to remain as R-4. Bigham said there was concern about accessing commercial property from the residential area.

PUBLIC HEARING OPENED.

James Tippens, 4640 Meadowbrook Drive, Applicant, said he had lived in Lawton for 40 years and offered to answer questions regarding his request.

Shanklin asked if Tippens concurred with the recommendation from LMAPC and staff. Tippens said yes.

Purcell asked how traffic would get into the triangular shaped tract. Tippens said the smallest portion of the triangle is frontage on 38th Street.

Sadler asked what was proposed for the R-4 area. Tippens said he had no plans for the property; there are three acres but only one is needed so the remainder would be open space.

PUBLIC HEARING CLOSED.

MOVED by Beller, SECOND by Williams, to approve Ordinance No. 98-32, waive reading of the ordinance, read the title only.

(Title read by Clerk) Ordinance No. 98-32

An ordinance amending the 2020 Land Use Plan from residential-multi family to commercial and office and changing the zoning classification from the existing classification of R-4 (High Density Apartment District) to C-1 (Local Commercial District) zoning classification on the tract of land which is hereinafter more particularly described in Section Two (2) hereof; authorizing changes to be made in the 2020 Land Use Plan and upon the Official Zoning Map in accordance with this ordinance.

VOTE ON MOTION: AYE: Purcell, Shanklin, Beller, Haywood, Warren, Williams, Sadler. NAY: Smith. MOTION CARRIED.

2. Consider approving a cablevision operating permit for Lawton Cablevision, Inc. Exhibits: Letter dated May 20, 1998; Operating Permit.

(Williams left the Chambers at this time.)

Vincent said once a year the City must approve an operating permit for Cablevision to use the streets, right of ways, alleys and easements for location of lines. This is a continuation of the contract as it has been in the past and staff recommended approval.

MOVED by Shanklin, SECOND by Haywood, to approve the cablevision operating permit for Lawton Cablevision, Inc. AYE: Shanklin, Beller, Haywood, Warren, Smith, Sadler, Purcell. NAY: None. OUT: Williams. MOTION CARRIED.

3. Consider an ordinance amending Chapter 13, Section 13-1-104 and 13-1-105, Lawton City Code, deleting the City employee representative position on the Human Rights & Relations Commission. Exhibits: Ordinance No. 98-____.

Schumpert said he requested the item from the standpoint that there are 18 members on the Commission and due to the concern for a potential conflict when a City employee is on a committee which has the ability to investigate complaints about City departments. He recommended the position be deleted, which would leave 17 members on the Commission from an ethnic, racial and organizational spread that allows a good commission.

Beller asked Ray Polk, Commission member, if this had been discussed by their group and Polk said no. Polk said he became aware of the item when he picked up his Council agenda on Friday and he called the chairman to make him aware that it was on the agenda, and prior to that time, he had not been involved in any such discussion. Polk said the only thing the Commission had discussed in this regard was they had not been able to get anyone to fill the position, although they had requested someone. Beller asked if there was a person sitting on the Commission today in this position. Schumpert said no, it had not been filled for some time, and that he had discussed this on several occasions with the Commission Chairman, and that he apparently had wrongfully assumed that the Chairman had discussed it with the Commission.

Beller said it seemed logical to request a recommendation from the Commission and asked Polk if he had a feeling in this regard. Polk said the same argument about the City employee having a possible conflict of interest could be made for any member, and there is authorization for one member from Fort Sill, who could be in a similar situation and had in fact been in that situation, although he could not recall a time when the City had a complaint that had to be investigated that would have involved the City employee. Polk said he felt it was another effort to disband the Human Rights Commission, and if that is true, it is very sad that the City of Lawton would go to such extremes because the Human Rights Commission does more than just investigate complaints. He said they do training and other things, and it is a good organization that is very supportive of Lawton. Polk said the position of City employee poses no greater risk than any other member.

Williams asked if Polk felt there was an advantage to having a City employee on a board this large, having 17 members. Polk said the board is large in terms of numbers authorized only and that they do not have that many members right now. Polk said it is important because of the way they need to allocate the investigations, otherwise the same two or three people may be investigating over and over and never get any relief, and he thought that position was needed.

Mayor Powell said Schumpert had spoken with the Chairman, although it was not taken to the Commission, so it seemed

Council may want to table it until there had been ample time for discussion. He asked for Council direction.

MOVED by Haywood, to table the item.

Beller said he would like to make a statement before seconding the motion to table. He said if the Commission wants a member but one is not appointed, it would not seem to have accomplished anything. Beller asked if there was a problem appointing a member to the Commission. Schumpert said if Council wants a person appointed, that would be done.

Schumpert said one of Polks statements reflected directly on him and he wanted to clarify a point that there was never any discussion or indication or agenda to do away with this Commission. He said we feel it is an important commission that does excellent work with a very aggressive and active chairman, and the two of them had conversations all the time. Schumpert said by taking one member out of an 18 member board, it is not an attempt to disband or belittle or cause it to be less effective than before. He said if Council directs the appointment, he would appoint someone. Schumpert said in going to department heads and asking if they had someone who wanted to volunteer for this or someone they would like to recommend for appointment, none have come forward with anyone. He said if Council directs there is to be a City employee member, he would appoint one.

Beller suggested the Commission be allowed to discuss it. He said he would second Haywoods motion to table and that it be brought back in two weeks. Schumpert suggested 30 days would allow the Commission time to meet. Haywood said he was a former Commission member and the City employee member is needed.

VOTE ON MOTION TO TABLE FOR TWO WEEKS: AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin. NAY: None. MOTION CARRIED.

4. Discuss requirements with regard to improvements to property at approximately 53rd and Cache Road and take appropriate action. Exhibits: None.

Warren said Mr. Dean approached him with problems involving this property where an automotive sales and repair business is being established. He reviewed previous correspondence regarding why Dean was required to pay for the traffic signal at his curb cut; response was the code requires that any improvements be paid for by the property owner, and Dean was told in early discussions that he would be required to pay for the traffic light. The owner of Town West Shopping Center was not required to pay for that light and the reason given was that a group of citizens requested it. The curb cut was apparently included in the initial road construction. Deans plans reflected two fire hydrants, and at some point he was told he would need three but apparently two are being required as shown on the original plans. Cost per hydrant is approximately \$1,300.

Warren said when Dean went to connect to the water main, it was found that one did not exist. A one inch line was found that may run to the fire hydrant at the corner of Briarwood, it has water in it and also runs to the PSO property. Two buildings were there previously and may have been served with water by that source. Staff position is the code requires that property developers must bring the water to their site. He said PSO was not required to provide fire protection at the adjoining location because there is not a structure so there was not a need for water, but it was found after the fact that they did not need any water because they had water, he assumed illegally since there was a faucet inside the fence, it was on Deans property and Deans construction meter is hooked in there now. Dean has no pipe to his property because PSO did not put in any pipe because they did not need water, they already had access. Had PSO asked for a connection to the main, the City would not have allowed a one inch connection, and assumed the City would have required a six inch line. He said there should have been a water line across the PSO property but there is not, and that puts an unfair burden on Dean to have to run the line from the corner. Warren said he did not know if the City had any ability to require PSO to share in the cost of the water line by turning off the existing connection. Beller asked how the City could turn off the water if there was no meter. Vincent said if there is no meter and the water is being obtained in violation of the code, City crews can dig up the line and cap it. Beller asked if penalties are involved and Vincent said yes.

Warren said he asked Vincent earlier tonight if the City could legally run a water line from the fire hydrant at the corner of Briarwood and Cache Road to Deans property and Vincents response was no. Warren asked if the City could replace a line between those same two points. Vincent said the City can replace a City water line, but if it is a not quite legal water line, there would be a problem doing that. Warren asked if PSO tapped an existing one-inch line in the easement, could the line be replaced by the City. Vincent said if it was a legally existing one-inch line with a meter on it, the answer is no. Vincent said with the information he had currently been provided, he could not recommend legally that the City install the water line. Warren said he would like the City to provide water from the fire hydrant to Deans property and to pay for the traffic signal on the south side of 53rd and Cache Road.

Williams asked if water was available from the south side of Cache Road at a lower cost of installation. Dan Tucker, Code Administration Director, said a minimum six inch line would be required due to the two fire hydrants, and Deans sketch indicated the water line in front of the property as a proposed water main and the proposed hydrants coming off of it, and they discussed early on that they may not find utilities readily available. Warren said boring to the south side of Cache Road to connect to a main may be cost prohibitive, but another problem is you may create an outlet for any contaminated ground water from the fuel tanks at Circle K that could leach to his property.

Shanklin said if PSO needs a connection, it may be possible that they could compensate Dean or share in the cost of the line. Warren said PSO may not desire to use the line and that would not help Dean. Vincent said the way the code is

written, there is no relief for Dean, and he is required to run across the frontage of Cache Road from the nearest main to his property a water line to supply his water; whether he wants to cross Cache Road or some other direction, whichever is closer, that is what he is required to do by code.

Felton Dean said there was a meter on the line in the beginning and since he began to use water from the line he got a meter from the City and has a meter on the line at this point, and the line goes through the easement to his property line and came back to his property line and back to PSO, and he put a meter on the line because it stopped at his property line and had a plastic line going to the PSO property which he cut off and capped because it was on his property line. Vincent asked if PSO has water now. Dean said not that he knew of.

Warren asked Dean if it appeared there had been a meter on the line at some point when he put the meter on it, prior to PSO, and was it plumbed for a meter. Dean said he did not know. Warren said two buildings were there and they had to be receiving water from some source, and Revenue Collections may know if there had been a meter in place. Prior uses were a used car lot, propane sales, old service station and store.

Dean said the City is requiring fire hydrants but there is a fire hydrant across the street at the Circle K. He said he cannot get the water line down to his property from Briarwood, and cannot get a line from 52nd and Cache Road. He said he had an EPA study done when he bought the property and understood there was contamination from leakage of the gas tank at Circle K and where the used car lot is, and those items are currently under investigation due to the contaminated soil. Dean said he was told by EPA to not let anyone build anything into the parking lot because it was probably contaminated soil on his property. He said you cannot run the line through the easement because it is within ten feet of the storm drain, and the City could get past that better than he could. Dean said he could not go out and buy easements from up and down the street from Sunrise Grill and from PSO to try to run a water line; he could not get an easement from a trust that owns the property to the east of his and no one has told him how he would be able to get the water line to his property. Dean said he did not think it was his responsibility to do so; it is not an improvement, it is a requirement by the City. He said he was not developing property to sell but was trying to put in a business and asked why a water line was not already there because it is on both sides at the corners and all up and down the rest of the street. Dean said he had been a solid citizen in Lawton for 18 years and had provided jobs and paid taxes. He said he talked to a staff member who told him he was not building a \$130 million building and his response was no, but during 18 years he had generated between \$16 and \$20 million in taxes and payroll in the community and did not understand why he could not be afforded a water line that is required to be there.

Mayor Powell said Deans real question is why the City cannot put in the water line and asked for staff to respond. Vincent said Dean is developing a vacant lot and the code requires that the developer bring a water main to his lot; the exception for the paper plant is under the industrial development act, the City is allowed to provide certain infrastructure to an industrial developer, but it specifically excludes commercial developers from the state law. Vincent said Dean is doing a commercial development and the exception applied for the Republic Plant cannot be applied here under the state law; the developer has to bring the main to the property line. Mayor Powell asked if that was the case regardless of where he had to go to find it. Vincent said there is a footage requirement that he could not remember.

Purcell said he thought there was a way to run the main from Briarwood or from the east of the property but the question was who should pay that cost; he thought that was the question; but now the question seemed to be that even if Dean wanted to do that and was willing to pay for it, that there is no way to run the line from the corner of Briarwood past Sunshine Grill and PSO up to his property or from the other direction. Dean said first, he did not think he should have to pay for it, and the City should provide him with fire protection and to do that the City should get a fire hydrant to his property, but also that the City could get an exception to run the water line and he would have to buy more property to be able to run the line through there but the City already has the easement to do that but he did not. Purcell asked if Dean could not use the City easement to run his line. Vincent said if the line is to be dedicated to the City upon completion and meets all City Codes, then he can use the City easement to run the line in.

Beller said the problem starts where PSO property starts and Dean is going to be required to run the line across the front of the PSO property, and Mr. Wolcotts information states after a conversation with the fire marshals office, it appears that PSO was not required to install the hydrants for the construction because there were no structures. He said he thought if a property was developed, it had to have a water line, and if PSO would agree to put the water line across their property, then Dean would only have to attach it to his property line and wondered if PSO had considered putting in a line so they could have service. Beller said his point was why should Dean have to pay for a line that PSO should have already installed, in his opinion, and he could be wrong.

Williams said he could not officially answer the question. Beller said he thought it was a direct conflict of interest for Williams to discuss PSO issues and that he should not do so. Williams said he thought he was looking for an answer to a question. Beller said the PSO folks would have to answer and asked if Williams had been authorized to speak on their behalf. Williams said not necessarily but he could read what the letter said to the effect that there are no requirements for water at those sites. Beller said it says it appears they are not required to and that he would like to know the reasoning and what the code says for someone to say that it appears that PSO was not required to install the water mains.

Tucker said the question came up during the installation of the PSO substation and it was discussed that there are no buildings at the substation. Beller asked Tucker if the code says if you improve property that you have to have a water line available or does it say only if you have something someone lives in. Tucker said he did not know the exact wording but in making the decision on the PSO property as to whether or not it had to have water brought to it, the fire hydrant at the intersection of the Rise and Shine Grill is within the 300 foot circle of that property, as you continue to the east it gets out

of that circle.

Beller asked why PSO was not required to have the water line. Tucker said because there was no use on the property requiring water. Beller asked why PSO had a line running to the property. Tucker said he assumed the line that was found had served the old buildings that were there previously and remained. Beller said they then might be accusing PSO of something that they did not even do. Tucker said that could be correct. Beller said if that is the case, they should say they are sorry. Tucker said he would check on it and that he did not know what PSO would do with water on that property. Haywood asked what the City could do. Tucker said the question is frequently asked and his only response was that there are no provisions for the City to absorb those costs or even assist. Haywood said the area should have been developed because there was a service station and lawn mower repair shop there previously, and those uses had to have water, so something was evidently wrong and the improvements should have been there years ago.

Dean said Tucker just stated that PSO was within 300 feet of a fire hydrant. He said there is a fire hydrant within 300 feet of his property also, right across the street, and another one across the ditch behind his property, so he should not need any more, and the reason for the six inch line is the fire hydrant. Mayor Powell asked Tucker if fire hydrants were available within 300 feet. Tucker said yes, they are within the 300 feet radius, but they are not on the same side of the road of a major intersection and to have it on the street behind with the ditch or swale to come through, the 300 feet must be as a fire truck drives so they can hook and fill the hose to it, and that would preclude using the one in the neighborhood. Mayor Powell asked if the fire crews would close the street if there was a major fire. Tucker said his response was only what the code required. Shanklin asked if it was a code or state statute and Tucker said City Code.

Purcell said the question of a hydrant being located across a street had come up several times before and others had been forced to put in fire hydrants on their side of the street even though they may have been within 100 feet across the street from a hydrant. He said changing the ordinance could be considered, but in the past it had to be on the same side of the street on a major thoroughfare, and there had to be a solution.

Shanklin asked how we got water to Cracker Barrel and suggested using the same theory here. Vincent said there was inadequate water supply to the housing area behind Cracker Barrel and we could not get the fire flow out of the fire plugs that was needed so we had to run a major line back to the housing area behind it and that happened to benefit Cracker Barrel.

MOVED by Warren, SECOND by Beller, for the City of Lawton to replace the one inch line that lies in the easement from Briarwood to 53rd Street on the north side of Cache Road with a six inch line and that the City of Lawton install the north facing traffic signals at 53rd and Cache Road and that it be paid for out of Council Contingency.

Purcell said he had no problem with the light but requested an opinion from the City Attorney as to whether this could be done legally. Vincent said based on the information provided tonight, he did not think it would be legal to provide the water line for Mr. Dean, but the traffic signal was acceptable.

Purcell asked if Council tabled the item and gave Vincent time to do more research, would the opinion possibly change, or was Vincent confident he had sufficient information about what lines were there, the size and whether they were ever dedicated to the City. Vincent said based on the information provided tonight, there is insufficient information to justify a deviation from the code. Purcell asked if more information was found, is it possible the City could replace the line depending on what is found. Vincent said if the information provided tonight is incorrect, there is a possibility that it could be done.

Williams said he understood Deans point of view and that the City had held the developers to the requirements on just about every project since he had been a member. He said the Subway had to put in a fire hydrant at 67th and Gore when one existed across the street toward a grocery store. Williams said there was mention of changing the ordinance, and that is possible and it would open the gate for every developer to ask for the same kind of a deal.

Warren asked if this is tabled and it is found that at any time there was a meter at the end of the line that runs in the easement, would the City then have the ability to replace the line. Vincent said based on that, no, and it would depend on where the meter was located; if the meter were located near the fire hydrant, it would indicate that it was a private service line the whole time; if the meter were located further down and it was found that part of the line had been dedicated to the City, and that is the key term, dedicated to the City, then we might could do something, but we have no information on that at this time.

SUBSTITUTE MOTION by Purcell, SECOND by Shanklin, to table this to the next meeting and ask the City Attorney to do a little more research and bring it back to see if we can legally do this. AYE: Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller. NAY: None. MOTION CARRIED.

5. Discuss funding for \$62 million sewer improvements and other infrastructure needs and take appropriate action. Exhibits: None.

Purcell said this was postponed until after budget sessions, and there is still a need for funding to do the sewer repairs first of all. Funds are still needed for the street and water line problems. Discussions should also be held with county officials regarding the possibility of a city-county jail. Another item which appears critical, and Lawton has been fortunate to not have water rationing, is that of water treatment. The north water plant produces about 25 mgd, and the south plant produces about 10 mgd on a regular basis, and they can expand, but about 35 mgd can be produced. The EPA is planning

rules which would require the south plant to be redone. Cost would be very high and that could be done or we could build a new water treatment plant because the south plant would be off line, and a new plant would provide availability for growth. The City cannot wait another 6, 12 or 24 months and a special meeting may be needed regarding these issues.

Williams said he felt the Council was speaking in unison that the needs have been in existence for a while and something must be done with them. There is a mandate to do something with the sewers; streets and water lines are pretty much in the same shape. Information should be presented to the citizens regarding the need to expand the capacity to provide treated water, and more and more people are asking to buy water from Lawton which expands the opportunity for outside water sales and more revenue. He suggested a special meeting be held to determine funding and amounts and time frames.

Warren said the first thing he learned when he became a member was to never say the words ad valorem. He said the sewer system and a southeast water treatment plant together could cost \$100 million, and a long term ad valorem tax may be the way to affect citizens the least, having less of an impact than a sales tax or utility bill increase. Warren said he would like to hear feed back from citizens, and everyone says that should not be considered, but unless the question is asked, they did not know for sure. He suggested it be examined and not be automatically discarded. Williams said the long term portion may have caused the previous issue to have failed, and it could be done in phases if needed.

Shanklin said he did not believe the EPA would be here in the year 2002 and shut you down right then. He said this will affect every water plant across the country and a time frame will be provided for compliance due to the cost. Shanklin said there are \$300 million in CIP projects, and spending \$6 million a year will not get it done; ad valorem may be the answer at one time or another but right now we are trying to expand our tax base, and to do that, we must have economic development. Those problems will be nice to solve once there are a few more industries like Republic, Wackenhut and Bar-S on line. Williams said we may not have the water to bring them on line.

Warren said it was his understanding that Republic would like to have more water and the City cannot provide it. Shanklin asked who said that. Warren said Ihler. Williams said it has been 110 degrees for a long time and the plant is at maximum capacity. Shanklin said the plant is not at maximum and we can treat 45 mgd at the plant for 10-12 days at a time. Shanklin said there are other ways to put water through that plant such as micro-media sand and moveable plants that can be brought in without spending so much; a plant was built in Lewisville, TX at a rate of 85 cents. Shanklin told Ihler to tell him if 35 mgd is all we can do. Ihler said 35 mgd is the rated treated capacity; more can be treated for a short period of time, which could be a couple of days or weeks, but likely not longer than that. Ihler said before the rain this week, the plant averaged 33 to 35 and up to 38 mgd, and it has been running at 35 mgd for the last month. Ihler said he would not want to do that day in and day out for three or four months of the year because it allows no room for any maintenance. Shanklin asked what if the Aquifer becomes viable and it could furnish water for Goodyear and Republic. Mayor Powell said federal, state and ASCOG personnel are coming. Ihler said they will attend the August 19 committee meeting.

Purcell said there are two parts: The plants that are on line now and what they can handle under EPA, and then the additional capacity. EPA says we must reduce THMs from 100 units to 80 in November 1998. He asked Ihler if both the north and south plants can do this today. Ihler said the law goes into effect in November 1998, and Shanklin is right with regard to EPA providing some type of a time frame. Ihler said they had asked consultants what time frame might be provided and indication was that it may be 18-24 months once the law goes into effect. Purcell asked if the south plant can be made to comply with the 80 units in four years without a huge outlay of funds. Ihler said both the north and south plants are borderline and running 79 and 80 on average for a year. Purcell said he understood further reductions were anticipated in 2007. Ihler said they had been told it would be reduced from 80 to 40, and neither plant can meet those requirements; they were told that would probably go into law 2002 or 2003, and again you would see 18-24 months to comply. The north plant can be modified to meet the requirements on THM and turbidity, and it would increase the rated capacity. Purcell asked about the south plant and Ihler said staff did not recommend putting money into the south plant to meet the turbidity requirements.

MOVED by Purcell, SECOND by Warren, to have a special meeting to discuss all these issues to decide whether or not were going to go out for an increase in taxes or whether to put it on the utility bill, but to set up a special meeting to discuss just those kinds of issues.

Mayor Powell said he would suggest, to be better organized, that staff bring a list of projects, and at least five were identified tonight, and the estimated dollar amounts attached as well as sources of income and projected dollar amounts of how to pay, such as taxes, ad valorem, utilities, and so forth. He said to be able to discuss this intelligently, the members would need those things he mentioned. Powell asked the recommended time for the workshop and consensus was 5:30 p.m.; date will be established.

VOTE ON MOTION: AYE: Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood. NAY: None. MOTION CARRIED.

Meeting recessed at 7:30 p.m. and reconvened at 7:38 p.m. with roll call reflecting all members present.

6. Discuss the Citys regulations governing home occupations and provide direction to staff if necessary. Exhibits: City Code Provisions.

Shanklin said this item needs to go to the rotating Council Committee to look into different codes. He said in the area he

lives in there are two businesses and the codes say you cannot have any more traffic than normal, and Vincent says what's normal?; if you have a party at your house, you may have 15-20 cars there. He said there is nothing in place that says a business, perhaps a barber shop, could be put in where the man and woman are both barbers and they would be allowed to have one more barber there, so there could be a three-chair barber shop across the street from Beller's residence, for instance, and asked Vincent if that was correct. Vincent said he was not sure about the barber shop example, but there could be a home occupation with as many as three people, and as long as they did not obstruct the free flow of traffic, they could have as many cars as they needed and parallel parking is allowed on both sides of the street in residential areas. Shanklin said two cars do not have to be able to by pass and Vincent agreed; Shanklin said as long as one car can get down the street or an emergency vehicle, it is acceptable. Shanklin said he understood Council had previously dropped the limitation on the number of vehicles that could be associated with a home occupation. He said he sees an area where there are ten vehicles at the same time, and that can happen in any area of town and it should be addressed.

Shanklin said Tucker told him if they show there are more vehicles than in a normal household that something could be done. Tucker said Shanklin asked him how they could keep that many vehicles from being in the neighborhood area and his response was they needed to be very careful in putting in an exact number because that number would apply for events such as communion dinners, wedding showers, etc. but the code says no traffic shall be generated by such home occupation in greater volumes than would normally be associated with a single family residence. Tucker said he had asked people to call them when there are large numbers of vehicles, they would document that, and if there are, for example, ten, on a repeated, day after day basis at one location, then that is more traffic than a normal residential area would have, unless there are ten family members living in a house; they must show it has more traffic on a perpetual basis because on any given day, you can find someone having a funeral dinner or just a get together at their home, but if it is day in and day out, then that would be one of the items they would use in making a decision that they change the traffic pattern.

Shanklin asked Vincent if he agreed and he said he did. Shanklin said Vincent told him before they could have 100 cars. Vincent said he gave two examples of a person having a party at their house with 20-30 vehicles and that is not on a recurring basis, but if it is on a recurring basis and we can show it is being generated by the home occupation, and another problem is how you show that particular car parked in front of your house is generated by the home occupation across the street from your house. Shanklin asked if video tape would work. Vincent said that is a possibility, and you would have to show the person getting out of the car and going into that building, but there is a question of whether the person is visiting or having coffee or if they are there for the purpose of the home occupation.

Shanklin asked if state statutes addressed home occupations. Vincent said there was a move in 1993 or 1994 by the then governors wife to create cottage industries, and as a result of that, we looked at the city code to liberalize it, and it was much more strict prior to 1993 or 1994, and it went to Planning Commission in draft form, did not go to Council, and LMAPC took out some of the requirements before it went to City Council. Shanklin asked if the LMAPC was involved in this and Vincent said yes, because it is part of the zoning code.

Shanklin said this would be a subject the committee could discuss further.

7. Consider authorizing staff to prepare an RFP and solicit for consulting engineering services for plans and specifications for the Eastside Park. Exhibits: Location Map.

This item had been pulled by staff earlier in the meeting.

8. Consider approving an agreement for street lighting with Public Service Company of Oklahoma. Exhibits: Agreement for Municipal Street Lighting Service; Attachment A.

Williams said he would abstain from this action.

Beller said he alluded to Williams employment with PSO earlier, but he is on leave, and asked if it would still constitute a conflict. Vincent said he is still an employee of the company.

MOVED by Beller, SECOND by Warren, to approve the agreement for street lighting with PSO.

Smith expressed concern about the need for a clause regarding completion of installation of lights. Purcell said he spoke with PSO representatives this morning and they assured him there were other avenues, and names of those persons had been given to Baker. Purcell said he suggested that earlier also, but the document had been approved all the way through the City chain, and all the way through the PSO chain, but the message was conveyed clearly that when they are given a resolution that states street lights are to be put in that they are expected within a reasonable amount of time. Purcell said if that is not the case, something could be brought back to make it even clearer.

VOTE ON MOTION: AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. ABSTAIN: Williams. MOTION CARRIED.

9. Consider adopting an ordinance relating to purchasing, amending Article 1, Chapter 10, Lawton City Code, 1995, amending the General Bidding Requirements, contents of bid packets and notice requirements, and providing severability. Exhibits: Ordinance No. 98-33.

MOVED by Purcell, SECOND by Smith, to approve Ordinance No. 98-33, waive reading of the ordinance, read the title

only.

(Title read by Clerk) Ordinance No. 98-33

An ordinance relating to purchasing, amending Article 1, Chapter 10, Lawton City Code, 1995, amending the general bidding requirements, definition, contents of bid packets and notice requirements, and providing for severability.

VOTE ON MOTION: AYE: Sadler, Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

10. Consider adopting Council Policy 13-1 to communicate to all City Council members and employees the City's policy and instructions regarding the investigation of suspected fraudulent activities, misappropriations and similar irregularities. This policy will supersede Administrative Policy 2-3. Exhibits: Council Policy 13-1 with Attachment A.

Shanklin asked if a reward is offered and Vincent said there is not a provision for it at this time. Shanklin said since the bidding process is being changed, it might be a deterrent if a reward were offered, even though there is an internal auditor. Williams said he thought everyone should be required to do this anyway. Purcell said there is a provision for reward in the federal system, which is inundated with allegations, many of which prove unfounded, but much time is spent on investigations.

Schumpert said one reason for changing this from an administrative policy to a council policy is to increase the awareness that the Council and City Manager are concerned about fraudulent activities, misappropriations and similar irregularities. The reason for the policy is that in some cases, employees may not realize what those things are and hopefully the policy will clearly identify what is meant by those terms and provide instructions as to what employees should do if they perceive this. He said he hoped that employees, as part of their work ethic, would report such things and that they had not looked at providing a reward.

Shanklin said central purchasing and the specifications committee prevented the purchase of \$750 weed eaters. He said if there are adequate checks and balances, it is acceptable, but he hated to get into that \$2,000 range and buy the motor, chassis, and then the car, and split the tickets, and it has happened and will again. He said he felt a reward to someone seeing that abuse would be good, but there was an individual documented leaving his place of business and going to another place of business and the City Manager completely ignored it but he lasted about another two months. Shanklin said if nothing is done when something is reported, this will not solve anything. Williams said he assumed newly hired individuals would be asked to sign this. Shanklin said he did not mean to imply that this just dealt with purchasing of items, and that it could be a lot of things.

Mayor Powell asked if all employees would be required to sign a document in this regard. Schumpert said yes, it would be done through in-processing and a signed copy held in their personnel files. Shanklin asked if it would be all employees, and not just the new ones. Schumpert said yes, all employees will sign it and new employees would sign it at in-processing in the future.

MOVED by Shanklin, SECOND by Haywood, to approve the item.

Sadler said the last page states that Council members are not to contact individuals, and that the members should be familiar with it because there are things they could do incorrectly as well.

VOTE ON MOTION: AYE: Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

11. Consider the following damage claims recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: John and Vickie Moots, and Quida Stier. Exhibits: Legal Opinions/ Recommendations; Resolution No. 98-135. Stier claim approved in the amount of \$272.76.

(Title only) Resolution No. 98-135

A resolution authorizing and directing the City Attorney to assist John E. And Vickie Moots in filing a friendly suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the reduced amount of Two Thousand, Sixty-Six Dollars and 66/100s (\$2,066.66).

12. Consider approving an agreement with United Social Action, Inc. In the amount of \$60,000 for the repair of the roof at the former Dunbar Elementary School building. Exhibits: None. (Agreement on file in City Clerks Office) Action: Approval of item.

13. Consider approving an agreement for the sale of treated water outside the City limits with Comanche County Rural Water District No. 2. Exhibits: Proposed Agreement. Action: Approval of item.

14. Consider renewing an agreement with the Oklahoma Department of Corrections for assignment of inmates to the City

under the Prisoners Public Works Act. Exhibits: Agreement. Action: Approval of item.

15. Consider extending contract for Certified Workplace Medical Plan with Worknet, Inc. Exhibits: Contract extension form. Action: Extend contract for certified workplace medical plan with Worknet, Inc., Tulsa, OK, and authorize the Mayor and City Clerk to execute the contract extension documents.

16. Consider entering into a contract with Mr. Thomas L. Stiger for fire protection outside the Lawton City limits, and authorize the Mayor and City Clerk to execute the contract. Exhibits: None. (Contract on file in City Clerks Office) Action: Approval of item.

17. Consider entering into a contract with Mr. and Mrs. Jerry Knight for fire protection outside the Lawton City limits, and authorize the Mayor and City Clerk to execute the contract. Exhibits: None. (Contract on file in City Clerks Office) Action: Approval of item.

18. Consider awarding contract for exterior door. Exhibits: Vendors mailing list; bid tabulation; recommendation. Action: Award contract to Lawton Glass.

19. Consider awarding contract for photography service. Exhibits: Vendors mailing list; bid tabulation; recommendation. Action: Award contract to One Hour Moto Photo.

20. Consider awarding contract for entry level tactical body armor. Exhibits: Vendors mailing list; bid tabulation; recommendation. Action: Award contract to Patrol Technology.

21. Consider awarding contract for raid garments. Exhibits: Vendors mailing list; bid tabulation; recommendation. Action: Award contract to Patrol Technology.

22. Consider awarding contract for anhydrous ammonia. Exhibits: Vendors mailing list; bid tabulation; recommendation. Action: Extend contract with Co-op Service, Inc., through 9/30/99 at same terms and conditions.

23. Consider extending contract for telephone service. Exhibits: Vendors mailing list; bid tabulation; recommendation. Action: Extend contract with Perkins Office Machines through 8/31/99 at same terms and conditions.

24. Consider extending contract for rental of linen service. Exhibits: Vendors mailing list; bid tabulation; recommendation. Action: Extend contract with Quality Enterprises of Lawton through 10/31/99 at same terms and conditions.

25. Consider extending contract for rental of cleaning supplies. Exhibits: Vendors mailing list; bid tabulation; recommendation. Action: Extend contract with Western Uniform through 9/30/99 at same terms and conditions.

26. Mayors Appointments. Exhibits: None.

Arts & Humanities Council: Amy Zingarelli, Term: 8/11/98 to 6/30/2000

Human Rights & Relations Commission: SFC William Holmes, Fort Sill Rep., Term: 8/11/98 to 9/30/99

Environmental Concerns Committee: Jim Coe, Comanche County Rep., Term: 7/28/98 to 7/28/2001; Barbara Geiser, Term: 8/11/98 to 9/11/2000

Airport Authority: Wayne Harrison, Term: 8/11/98 to 8/11/2001

27. Consider approval of payroll for the period of July 27 through August 9, 1998. Exhibits: None

MOVED by Smith, SECOND by Haywood, to approve the items listed in the Consent Agenda as recommended. AYE: Shanklin, Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell. NAY: None. MOTION CARRIED.

BUSINESS ITEM:

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a proposed settlement agreement in the civil suit styled Renato M. Caballero, III and Renato M. Caballero vs. The City of Lawton, a municipal corporation, and Larry R. Salmon, Case No. CJ-96-747, in the District Court of Comanche County, and, if necessary, take appropriate action in open session. Exhibits: None.

29. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a grievance in the matter of IUPA and Damion Sean Hart vs. The City of Lawton, FMCS 97-05677-7, and, if appropriate, take action in open session. Exhibits: None.

MOVED by Purcell, SECOND by Williams, to convene in executive session as shown on the agenda and recommended by the legal staff. AYE: Beller, Haywood, Warren, Smith, Williams, Sadler, Purcell, Shanklin. NAY: None. MOTION CARRIED.

The Mayor and Council convened in executive session at 8:00 p.m. and reconvened in regular, open session at 8:10 p.m. with roll call reflecting all members present.

Vincent reported that discussion was held in executive session on the lawsuit of Renato M. Caballero, III and Renato M. Caballero vs. The City of Lawton, a municipal corporation, and Larry R. Salmon, Case No. CJ-96-747, in the District Court of Comanche County. He recommended Council pass a resolution authorizing the City Attorneys office to settle the case in the amount of \$9,000.

MOVED by Smith, SECOND by Warren, to adopt Resolution No. 98-136 authorizing settlement in the amount of \$9,000.

AYE: Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood. NAY: None. MOTION CARRIED.

(Title only) Resolution No. 98-136

A resolution approving and authorizing acceptance and payment of settlement in the pending civil suit styled Renato M. Caballero, III, and Renato M. Caballero vs. The City of Lawton, a municipal corporation and Larry R. Salmon, Case No. CJ-96-747, in the District Court of Comanche County.

Vincent said on Item 29, the Mayor and Council met in executive session to discuss the grievance and upcoming arbitration of IUPA and Damion Sean Hart vs. The City of Lawton, FMCS 97-05677-7. He requested Council authorize the City Attorney to employ outside counsel due to a conflict in the City Attorneys office.

MOVED by Shanklin, SECOND by Purcell, to authorize the City Attorney to employ outside counsel. AYE: Smith, Williams, Sadler, Purcell, Shanklin, Beller, Haywood, Warren. NAY: None. MOTION CARRIED.

Vincent said once outside counsel has been identified, a contract will be returned for Council approval.

REPORTS: MAYOR/COUNCIL/CITY MANAGER.

Warren thanked former City Attorney Felix Cruz for pull chains on fans.

Beller said he serves as City Councils representative on the Airport Authority which is considering leasing out the parking at the Airport, and it is a fairly controversial issue which could affect the Airport and enplanements. A firm from Atlanta has proposed to lease the airport parking facilities. He said they had worked very hard to increase enplanements, which are currently down, and a negative effect should not be added. Current parking cost for three, five or seven days is \$2; if the contract is awarded to the Atlanta firm, the parking cost will go from \$2 to \$24 for seven days. Beller said it was his opinion that this could have a very negative effect on enplanements at the Airport. He said he received a notice from the Airport Manager that there would be a special meeting on Thursday at 9 a.m. and he had not received an agenda but assumed this would be the subject. Beller said his position would be to oppose the leasing of a parking facility to the Atlanta firm, and if the Authority wants more funding, perhaps it should consider increasing the fees because if this firm can pay \$80,000 a year, it would be making money. He said he would oppose the leasing unless Council provided differing direction.

Beller said the Mayor appointed a Council committee to listen to complaints and that he had read in the newspaper recently an upsetting letter from former council member Fredricksen who said the committee is not needed. He said the letter appeared to set forth a different concept from what they were trying to accomplish and that Fredricksen seemed to have a personal vendetta against Shanklin, and that the two should not be combined nor involve the Council. Beller asked Shanklin if he knew what the problem was. Shanklins response was: Several years back he was giving away commodity cheese. He was on the Great Plains Improvement Foundation board, and my comment to him was, who am I depriving if you give me this cheese because Im not qualified for it and I dont think I should have it, and that did excite him. Ever since then, even since he was, abused his public trust as a member of the Great Plains Foundation he has had a vendetta against me, which, in a way, I should welcome it, because he has not beat me yet.

Sadler said he asked the newspaper yesterday why that letter was repeated; it was in the paper Saturday, it had also been in the paper two Saturdays earlier, and it was simply an error on the part of the newspaper why it was run twice. He said he was disturbed seeing it the first time because he thought it had really been misinterpreted, and it was in the minutes from the last meeting where he spoke out by saying that was not Councils intent and that he did not like it being put out. Sadler said it was misinforming for anyone who did not watch the meeting and did not know, and was like putting out negative information and trying to slam the whole Council, everyone who voted for the committee, trying to make it look like you could not call your council member because you can still call your council member and you can still come down to audience participation, and it was trying to provide an additional way for someone if they do not want to come down and be on television, then we give them that other option; if they would rather talk to people face to face instead of calling their member or had not reached him or whatever, it was just an additional thing they were doing. He said he called the paper and asked them why they ran that letter again because he did not like it the first time and liked it even less the second time, and they said it was just an error that they forgot they ran it.

Shanklin said one other thing on that, trash and weeds and high grass, that is one complaint, but we are talking about codes and ordinances and interpretation, and that is another thing and that is what we are trying to address with this three man rotating committee. Mayor Powell agreed and said people had been asking him when the first meeting would be held. Beller said they would get with the Mayor and the other members and try to get a meeting set quickly.

Purcell said the crime report from the Police Department was received for the month of July and overall the crime statistics are down 10% again this month, and that is a real compliment to the Police Department and all their efforts.

Williams said he, Haywood, the Assistant City Manager and the City Clerk attended a briefing at the Waurika Master

Conservancy District and John Finley, District Manager, has an interesting 30 minute presentation on the piping, lake, water rights, and who does what. A presentation was also provided by the Corps of Engineers that was very informative.

Williams thanked solid waste crews for picking up very large amounts of trash at 1404 Bessie. He said those at Pat Henry School felt it should be removed since enrollment was coming up quickly. Beller asked about the parking issue at Pat Henry School. Williams said Council had requested direction from Shoemaker Center and Dr. Barbosa did not have a problem with it, but perhaps the School Board and/or representatives from Pat Henry School can address it further since the need still exists to do something with parking on the north side of that facility.

Haywood expressed appreciation for crews picking up limbs that had been cut by residents in Ward 7, and trash cans had been delivered this morning. He thanked the City Manager and Assistant City Manager for their efforts in this regard also.

Schumpert said he would be on vacation beginning tomorrow and would return to the office next Wednesday. He said the OML Conference is September 23 to 25 in Oklahoma City and encouraged attendance both for what can be gained by the sessions and to be able to network with members from other cities regarding their experiences of what has worked for them, and to become involved with the various committees of OML.

Mayor Powell said he had received a letter from General Baxter extending an invitation for Council to meet at Fort Sill at Snow Hall for an upcoming meeting. He said General Baxter has an excellent presentation that was given to the Canon Cockers group about what Fort Sill has to offer for Lawton and Southwest Oklahoma. Mayor Powell said he would like to offer the dates of the next four regular meetings to General Baxter. Consensus of the Council was to have a special meeting at Fort Sill. Mayor Powell said he would go back to the calendar and talk with General Baxter about having a special meeting with Councils approval and that was the consensus.

Mayor Powell said Bob Rose from ODOT called regarding the Councils unanimous vote on the median opening on Cache Road. Powell said Rose asked why Council really wanted that to happen and his response was that we know people will get over there and Councils concern was the safest way for them to get over there, which seemed to be to have a median cut in that location. He said that was the message he thought he heard from the Council meeting and that was what he had conveyed to Mr. Rose. Powell said he sent the letter as requested by Council and Rose responded to him by phone, and that discussion was held, and Rose said he would give the matter further thought and respond to the letter.

Mayor Powell said as far as the joint meeting with the County Commissioners, he had set down dates of August 18 or August 20, and that he tried to call Frank Walker today but missed him. Consensus of Council was that August 18 at 5:30 p.m. would be preferred and Mayor Powell will try to confirm the date with Frank Walker. He said subjects he had heard that were to be discussed were the jail, purchasing, communications, and sharing services.

Mayor Powell said he would like to thank and acknowledge Linda Gibson for the tremendously good job she did organizing the celebration for Lawtons birthday. He said it was one of the biggest and best events held and she organized it. He thanked Fort Sill for the birthday cake and stated the bottom layer alone weighed 150 lbs.

Sadler asked the location of the meeting with the County Commissioners. Consensus was that it would be in the Council Chambers so it could be televised.

There was no further business to consider and the meeting adjourned at 8:30 p.m.